

**House Study Bill 48 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED SECRETARY OF  
STATE BILL)

**A BILL FOR**

1 An Act relating to the administration of city and school  
2 elections.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 44.9, subsection 3, Code 2019, is amended  
2 to read as follows:

3 3. In the office of the proper school board secretary, at  
4 least ~~thirty-five~~ forty-two days before the day of a regularly  
5 scheduled school election.

6 Sec. 2. Section 50.48, subsection 7, Code 2019, is amended  
7 to read as follows:

8 7. If the election is an election held by a city which  
9 is not the final election for the office in question, the  
10 recount shall progress according to the times provided by this  
11 subsection. If this subsection applies, the canvass shall be  
12 ~~held by the second day after the election, the request for~~  
13 ~~a recount must be made by the third day after the election,~~  
14 ~~the board shall convene to conduct the recount by the sixth~~  
15 ~~day after the election, and the report shall be filed by the~~  
16 ~~eleventh day after the election~~ conducted pursuant to section  
17 50.24. The request for a recount must be made by the day after  
18 the canvass, and the board shall convene for the first time not  
19 later than the first Friday following the canvass. The report  
20 shall be filed by the fourteenth day after the election.

21 Sec. 3. Section 260C.12, subsection 1, as amended by 2017  
22 Iowa Acts, chapter 155, section 2, is amended to read as  
23 follows:

24 1. The board of directors of the merged area shall organize  
25 at the first regular meeting following the regular school  
26 election or at a special meeting called by the secretary of the  
27 board to organize the board in advance of the first regular  
28 meeting ~~following the regular school election~~ after the canvass  
29 for the regular school election. Organization of the board  
30 shall be effected by the election of a president and other  
31 officers from the board membership as board members determine.  
32 The board of directors shall appoint a secretary and a  
33 treasurer who shall each give bond as prescribed in section  
34 291.2 and who shall each receive the salary determined by the  
35 board. The secretary and treasurer shall perform duties under

1 chapter 291 and additional duties the board of directors deems  
2 necessary. However, the board may appoint one person to serve  
3 as the secretary and treasurer. If one person serves as the  
4 secretary and treasurer, only one bond is necessary for that  
5 person. The frequency of meetings other than organizational  
6 meetings shall be as determined by the board of directors but  
7 the president or a majority of the members may call a special  
8 meeting at any time.

9 Sec. 4. Section 260C.15, subsection 5, as amended by 2017  
10 Iowa Acts, chapter 155, section 4, is amended to read as  
11 follows:

12 5. The votes cast in the election shall be canvassed and  
13 abstracts of the votes cast shall be certified as required by  
14 section 277.20. In each county whose commissioner of elections  
15 is responsible under [section 47.2](#) for conducting elections  
16 held for a merged area, the county board of supervisors shall  
17 ~~convene on the last Monday in November or at the last regular~~  
18 ~~board meeting in November,~~ on the second Monday or Tuesday  
19 after the day of the election to canvass the abstracts of votes  
20 cast and declare the results of the voting. The commissioner  
21 shall at once issue certificates of election to each person  
22 declared elected, and shall certify to the merged area board in  
23 substantially the manner prescribed by [section 50.27](#) the result  
24 of the voting on any public question submitted to the voters  
25 of the merged area. Members elected to the board of directors  
26 of a merged area shall qualify by taking the oath of office  
27 prescribed in [section 277.28](#).

28 Sec. 5. Section 376.9, subsection 1, Code 2019, is amended  
29 to read as follows:

30 1. A runoff election may be held only for positions unfilled  
31 because of failure of a sufficient number of candidates to  
32 receive a majority vote in the regular city election. When a  
33 council has chosen a runoff election in lieu of a primary, the  
34 county board of supervisors shall publicly canvass the tally  
35 lists of the vote cast in the regular city election, following

1 the procedures prescribed in [section 50.24](#), ~~at a meeting to be~~  
2 ~~held on the second day following the regular city election, and~~  
3 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates  
4 who do not receive a majority of the votes cast for an office,  
5 but who receive the highest number of votes cast for that  
6 office in the regular city election, to the extent of twice  
7 the number of unfilled positions, are candidates in the runoff  
8 election.

9 Sec. 6. 2017 Iowa Acts, chapter 155, section 45, is amended  
10 to read as follows:

11 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

12 1. Notwithstanding the provisions of [section 260C.11](#)  
13 designating a term of four years for members of a board of  
14 directors of a merged area, the term of office for a seat on a  
15 board of directors filled at the regular school election held  
16 on:

17 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon  
18 the board's organizational meeting held pursuant to section  
19 260C.12, subsection 1.

20 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon  
21 the board's organizational meeting held pursuant to section  
22 260C.12, subsection 1.

23 2. Notwithstanding the provisions of section 273.8,  
24 subsection 1, designating a term of four years for members of  
25 a board of directors of an area education agency, the term of  
26 office for a seat on a board of directors filled by election  
27 in:

28 a. September 2015 shall expire November 30, 2019.

29 b. September 2017 shall expire November 30, 2021.

30 3. Notwithstanding the provisions of [section 274.7](#)  
31 designating a term of four years for members of a board of  
32 directors of a school district, the term of office for a seat  
33 on a board of directors filled at the regular school election  
34 held on:

35 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the

1 board's organizational meeting held pursuant to section 279.1.  
2 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon  
3 the board's organizational meeting held pursuant to section  
4 279.1.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with  
7 the explanation's substance by the members of the general assembly.

8 This bill relates to the administration of combined city and  
9 school elections. The bill changes the withdrawal deadline  
10 for candidates in a school election from 35 days before the  
11 election to 42 days before the election, the same deadline for  
12 candidates in a city election. The bill changes the date for  
13 a canvass following a municipal election from the Thursday  
14 following the election to the Monday or Tuesday following the  
15 election. The bill requires a request for a recount in a  
16 municipal election to be submitted by the day following the  
17 canvass, requires the county board of canvassers to meet by the  
18 Friday following the election, and the report on the recount to  
19 be filed by the 14th day after the election.

20 The bill requires the board of directors of a merged area  
21 to organize at the first regular or special meeting after the  
22 canvass of the regular school election. The bill also changes  
23 the date of the canvass for an election held in a merged area  
24 to the second Monday or Tuesday following an election, the  
25 same deadline for a second canvass required of certain cities  
26 and school districts pursuant to 2017 Iowa Acts, chapter 155,  
27 section 28.

28 The bill changes the expiration date of the terms of office  
29 of members of boards of directors of a merged area or school  
30 district elected in September 2015 or 2017 to the day of the  
31 board's organizational meeting following the election.